

1 Edward W. Swanson, SBN 159859  
August Gugelmann, SBN 240544  
2 SWANSON & McNAMARA LLP  
300 Montgomery Street, Suite 1100  
3 San Francisco, California 94104  
Telephone: (415) 477-3800  
4 Facsimile: (415) 477-9010  
5 Attorney for Defendant ANDREW ZAHN

6  
7  
8  
9  
10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

Case No. CR 18-0150 JD (KAW)

14 Plaintiff,

15 vs.

**STIPULATION AND ~~PROPOSED~~  
ORDER TO MODIFY CONDITIONS OF  
RELEASE**

16 ANDREW ZAHN,

17 Defendant.

18  
19 Defendant Andrew Zahn and the United States hereby stipulate and agree as follows:

20 1) On May 2, 2018, the Court modified Mr. Zahn's conditions of release as follows:

21 "Defendant allowed to access his mother's computer only if she permits Pretrial Services to  
22 install the monitoring software. Defendant allowed to use the computer for banking, getting  
23 directions, reading the newspaper and technical support for his mother." Docket 11.

24 2) The parties have met and conferred regarding the conditions under which Mr.  
25 Zahn should be permitted to use the computer beyond the terms of the Court's current order.  
26 The parties agree that Mr. Zahn should be permitted broader access to his mother's monitored  
27 computer, subject to certain restrictions.  
28

3) Accordingly, the parties agree that the Court should modify the conditions of Mr. Zahn's release to allow Mr. Zahn to access his mother's monitored computer but to prohibit use of video conferencing applications, use of peer-to-peer file sharing applications, and access to materials depicting child pornography, child erotica, or nude or sexual depictions of any child, or any materials described at 18 U.S.C. § 2256(8).

4) The parties additionally request that the curfew imposed as a condition of release be modified to require Mr. Zahn to be in his apartment between 11:00 p.m. and 5:00 a.m. unless otherwise approved by Pretrial Services.

5) The parties have conferred with Pretrial Services Officer Kenneth J. Gibson, who has no objection to these modifications.

IT IS SO STIPULATED.

Dated: June 13, 2018

/s/

---

Edward W. Swanson  
August Gugelmann  
SWANSON & McNAMARA LLP  
Attorneys for Andrew Zahn

/s/  
Christina McCall  
Assistant United States Attorney

~~[PROPOSED]~~ ORDER

Pursuant to stipulation, IT IS SO ORDERED. Mr. Zahn's conditions of release are modified to provide as follows:

Defendant allowed to access his mother's computer only if she permits Pretrial Services to install the monitoring software. Defendant is not permitted to use video conferencing applications or peer-to-peer file sharing applications or to access materials depicting child pornography, child erotica, or nude or sexual depictions of any child, or any materials described at 18 U.S.C. § 2256(8).

Defendant to abide by a curfew from 11:00 p.m. to 5:00 a.m., during which time he shall remain in his apartment unless otherwise approved by Pretrial Services.

Dated: 6/12/18

Kandis Westmore  
Hon. Kandis A. Westmore  
United States Magistrate Court